

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

LEROY PENA, §  
Plaintiff, §  
§  
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§  
v. § Civil Action No. 3:22-CV-0987-N-BH  
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§  
DALLAS POLICE ASSOCIATION §  
and CITY OF DALLAS, §  
Defendants. §

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

*Defendant Dallas Police Association's Motion to Dismiss Pursuant to Federal Rules of Civil Procedure, Rule 12(b)(5), 12(b)(2) (Insufficient Service, Lack of Personal Jurisdiction) or, Alternatively, Rule 12(b)(6) (Failure to State a Claim Upon Which Relief Can Be Granted), filed August 3, 2022 (doc. 7), is GRANTED, and all claims against the Dallas Police Association are DISMISSED with prejudice for failure to state a claim. By separate judgment, the plaintiff's claims against the Dallas Police Association will be DISMISSED with prejudice.*

SIGNED this 21<sup>st</sup> day of February, 2023.

  
CHIEF UNITED STATES  
DISTRICT JUDGE